

FILED
UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

2022 APR 20 PM 1:09

CLERK-LAS CRUCES

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT PADILLA, a.k.a. "Fat Head,"
and **GARY COCA,**

Defendants.

CRIMINAL NO. 22-634 KWR

Count 1: 18 U.S.C. § 1513(a)(1)(B):
Retaliating Against a Witness, Victim, or
Informant; 18 U.S.C. § 2: Aiding and
Abetting;

Count 2: 21 U.S.C. § 848(e)(1)(A):
Killing While Engaged in Drug
Trafficking; 18 U.S.C. § 2: Aiding and
Abetting;

Count 3: 18 U.S.C. § 924(c)(1)(A)(ii),
(iii), and 924(j)(1): Using, Carrying and
Brandishing a Firearm During and in
Relation to a Drug Trafficking Crime;
Possessing and Brandishing a Firearm in
Furtherance of Such Crime; Discharging
Said Firearm; and Causing Death Through
Use or Possession of a Firearm; 18 U.S.C.
§ 2: Aiding and Abetting;

Count 4: 18 U.S.C. § 1512(a)(2)(C):
Witness Tampering; 18 U.S.C. § 2:
Aiding and Abetting.

INDICTMENT

The Grand Jury charges:

Count 1

Retaliation Against a Witness, Victim, or Informant

On or about July 22, 2019, in San Miguel County, in the District of New Mexico, the
defendants, **ROBERT PADILLA, a.k.a. "Fat Head,"** and **GARY COCA,** killed L.L. with the

intent to retaliate against L.L. for providing to a law enforcement officer information relating to the commission and possible commission of a federal offense.

In violation 18 U.S.C. §§ 1513(a)(1)(B) and 2.

Count 2

Killing While Engaged in Drug Trafficking

From on or about September 17, 2018, and continuing to on or about September 10, 2019, in Bernalillo County, in the District of New Mexico, and elsewhere, the defendant, **ROBERT PADILLA, a.k.a. "Fat Head,"** while engaged in an offense punishable under 21 U.S.C. § 841(b)(1)(A), to wit: conspiracy to distribute a controlled substance, which offense involved (a) 5 kilograms and more of a mixture and substance containing a detectable amount of cocaine, (b) 280 grams and more of a mixture and substance containing a detectable amount of cocaine base, (c) 1 kilogram and more of a mixture and substance containing a detectable amount of heroin, and (d) 400 grams and more of a mixture and substance containing a detectable amount of fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propenamide), knowingly and intentionally killed and caused the intentional killing of another person, L.L., and such killing resulted.

In violation of 21 U.S.C. § 848(e)(1)(A) and 18 U.S.C. § 2.

Count 3

Using, Carrying, Brandishing, and Discharging a Firearm During and in Relation to a Crime of Violence or Drug Trafficking Crime and Causing Death Through Use of the Firearm

On or about July 22, 2019, in San Miguel County, in the District of New Mexico, the defendant, **ROBERT PADILLA, a.k.a. "Fat Head,"** knowingly used, carried, brandished, and discharged a firearm, during and in relation to a crime of violence and a drug trafficking crime for which the defendant may be prosecuted in a court of the United States, specifically,

retaliation against a witness, victim, or informant as charged in Count 1 of this indictment, and killing while engaged in drug trafficking as charged in Count 2 of this indictment; possessed and brandished said firearm in furtherance of such crimes, discharged said firearm; and in the course of said offenses caused the death of L.L. through the use of a firearm, which such killing is a murder as defined in 18 U.S.C. § 1111(a).

In violation of 18 U.S.C. §§ 924(c)(1)(A)(ii) and (iii), 924(j)(1), and 2.

Count 4


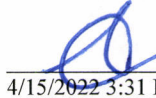
Tampering With a Witness, Victim or Informant by Physical Force or Threat

On or about November 25, 2020, in Cibola County, in the District of New Mexico, the defendant, **ROBERT PADILLA**, a.k.a. "**Fat Head**," used and attempted to use physical force and the threat of physical force against John Doe with the intent to influence, delay, and prevent John Doe from communicating with a law enforcement officer information relating to the commission of federal offenses, that is, drug trafficking and the murder of a federal witness.

All in violation of 18 U.S.C. § 1512(a)(2)(C).

A TRUE BILL:

/s/
FOREPERSON OF THE GRAND JURY


Assistant United States Attorney

4/15/2022 3:31 PM